



County Supervisors A S S O C I A T I O N o f a r i z o n a

2015 Legislative Policy Statement

11th Annual CSA Legislative Summit

Mohave County, Arizona

October 13-15, 2015

A. What is the legislative proposal?

This proposal will eliminate A.R.S. §§ 9-211 through 9-226. These are an archaic set of statutes pursuant to which voters/property owners in a city or town can, through a petition/election process, disincorporate the city or town, in which case the county board of supervisors appoints trustees to manage the city or town.

B. Describe the problem and explain how the proposal solves it.

Putting aside whether it might sometimes be a good idea for voters/property owners of a city or town to disincorporate it, and have a county board of supervisors appoint trustees to manage the city or town, these statutes are completely unworkable. For starters, provisions calling for an appointment of a town marshal, to be paid \$100/month (see § 9-223), a city clerk to be paid \$500/yr (see § 9-222), and the like, make no sense in a modern world. Reading through the rest of this set of statutes, a city or town could not be governed using them.

Moreover, both the County Attorney and the Attorney General authored opinions in 2014 stating that the procedures for petitioning and voting to disincorporate are unconstitutional due to property ownership requirements, as well as finding other difficulties with the statutory procedure. Those two opinions are attached.

This set of statutes has no value to Arizona citizens. They would be harmless, except that an individual who read them actively attempted to obtain and circulate petitions—which is what prompted the County Attorney and Attorney General Opinions. It would be better to eliminate useless statutes. If someone believes that there should be some procedure to disincorporate a city or town similar to that provided in this set of statutes, he or she should draft something that is workable and constitutional.

C. What is the fiscal impact to the state or county budgets of the proposal?

None.

D. What is the preliminary analysis of the political environment and stakeholders' and affiliates' comments?

There probably are not stakeholders or political environment for this set of statutes or eliminating them.



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E. Who is the primary county contact information for the proposal (name, phone, email and other relevant information)?

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